



Order Filed on May 2, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
M&T Bank

In Re:
Robert Elliott Shanley III
Evane McLeane Shanley

Debtors.

Case No.: 18-26126 MBK

Adv. No.:

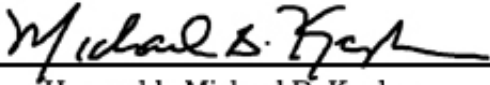
Hearing Date: 4/23/19 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: May 2, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Robert Elliott Shanley III, Evane McLeane Shanley

Case No: 18-26126 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 125 Navesink Avenue, Middletown Twp, NJ, 07752, Monmouth, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Joseph Casello, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of April 19, 2019, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due September 2018 through April 2019 for a total post-petition default of \$30,369.20 (8 @ \$3,796.15); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$10,000.00 to be received no later than May 31, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$20,369.20 will be paid over six months by Debtor remitting \$3,394.86 per month for five months and \$3,394.90 for one month, which additional payments shall begin on May 1, 2019 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume May 1, 2019, directly to Secured Creditor's servicer, M&T Bank, PO Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.